

Customer Number

24024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Kaumaya *et al.* ) Group Art Unit: 1644  
 )  
Application No.: 09/990,574 ) Examiner: Ilia I. Ouspenski  
 )  
Filed: November 21, 2001 ) Attorney Docket No.: 18525/04028  
 )  
For: Agents for Blocking T Cell )  
Mediated Immune Reactions )

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

I, Caroline C. Whitacre, state as follows:

1) Drs. Pravin T. P. Kaumaya and Mythily Srinivasan and I are the inventors of the retro  
inverso peptide analog that is the subject matter of claims in the above-identified patent  
application;

2) Drs. Kaumaya and Srinivasan, and Dr. Richard Wardrop and I are co-authors of the  
book chapter, Srinivasan et al., "A CD28 CDR3 peptide analog inhibits CD4+ T-cell  
proliferation *in vivo*," in Peptides for the New Millennium (1999), pp. 689-690, which mentions  
the existence, but does not disclose the sequence of the retro inverso peptide analog;

3) Dr. Wardrop was an MD-PhD student in my laboratory, and worked under my supervision; he assisted Dr. Srinivasan in performing *in vitro* experiments using the retro inverso peptide analog;

4) Dr. Wardrop, who is listed as a co-author on the above-mentioned book chapter, learned about the retro inverso peptide analog through his involvement in my laboratory, but he did not participate in its design, and is not an inventor of the retro inverso peptide analog claimed in the above-identified application;

5) Dr. Wardrop was bound generally by our university confidentiality policy, and in addition, he and the other researchers Dr. Kaumaya's and my laboratories were specifically instructed not to discuss the particulars, including the sequence, of the retro inverso peptide analog, as we were contemplating patent protection;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11/13/06

Date

Caroline C. Whitacre

Caroline C. Whitacre